

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING APPLICATION UNDER 37 C.F.R. 1.53(b)  
WITHOUT FILING FEE AND/OR WITHOUT EXECUTED INVENTOR'S DECLARATION

Atty. Dkt. 4114-8

Mail Stop Patent Application

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: October 1, 2003

031088 U.S. PTO  
10/674791



This is a request for filing a new PATENT APPLICATION under Rule 53(b) entitled:  
**METHOD AND DEVICE FOR CONTROLLING FREQUENCY SELECTION WITHIN A WIRELESS COMMUNICATION SYSTEM**

without a filing fee and/or without an executed inventor's oath/declaration.  
This application is made by the below identified inventor(s). Attached hereto are the following papers:  
Newly executed Declaration, ☐ Copy of Declaration from prior application, ☒ Abstract  
Please delete the following inventors in the continuation/division/continuation-in-part application:

Deleted persons:  
pages of specification and claims (including 20 numbered claims), and  
sheets of accompanying drawing/s.

Attached is a Power of Attorney.

Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number

Country

Day/Month/Year Filed

01108397.9

EP

03 April 2001

28 March 2002

PCT/EP02/03578

, respectively, the entire content of which is hereby incorporated by reference in this application..

Certified copy(ies) of foreign application(s) is/are attached.  
Certified copy(ies) filed on \_\_\_\_\_ in prior application no. \_\_\_\_\_ filed \_\_\_\_\_

This application claims the benefit of Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_, the entire content of which is hereby incorporated by reference in this application.

This application is a ☒ continuation/☐ division/☐ continuation-in-part of Application No. PCT/EP02/03578

filed 28 March, 2002, the entire content of which is hereby incorporated by reference in this application.

Petition filed in prior application to extend its life to insure co-pendency.  
The prior application is assigned to Telefonaktiebolaget LM Ericsson (publ), Stockholm, Sweden,  
It is hereby requested that the Examiner consider the art cited in the above parent application(s) by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached, but pursuant to Rule 98(d) copies are not required.

Applicant claims "small entity" status. ☐ "Small entity" statement attached.

Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

Also attached: ☒ Information Disclosure Statement; ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☒ Other:  
Form PTO-1449 and cited references

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☒ See attached sheet(s) for additional inventor(s) information!!  
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NOTE: FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.